

CRS Report for Congress

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Latin America: Terrorism Issues

Mark P. Sullivan
Specialist in Latin American Affairs
Foreign Affairs, Defense, and Trade Division

Summary

In the aftermath of the September 2001 terrorist attacks on New York and Washington D.C., U.S. attention to terrorism in Latin America intensified, with an increase in bilateral and regional cooperation. Latin American nations strongly condemned the attacks, and took action through the Organization of American States (OAS) to strengthen hemispheric cooperation. In June 2002, OAS members signed an Inter-American Convention Against Terrorism. President Bush submitted the convention to the Senate in November 2002; on October 7, 2005, the Senate agreed to the resolution of advice and consent on the convention. In its annual report on global terrorism, the State Department highlights threats in Colombia, Peru, and the tri-border area of Argentina, Brazil, and Paraguay. The State Department also has designated four terrorist groups (three in Colombia and one in Peru) as Foreign Terrorist Organizations, and Cuba has been listed as a state sponsor of terrorism since 1982. In the second session of the 109th Congress, issues of concern will likely include continued Latin American cooperation on terrorism and oversight related to the release of the State Department's annual report on global terrorism expected in April 2006.

Terrorism in Latin America: U.S. Concerns

Over the years, the United States has been concerned about threats to Latin American and Caribbean nations from various terrorist or insurgent groups that have attempted to influence or overthrow elected governments. While Latin America has not been the focal point in the war on terrorism, countries in the region have struggled with domestic terrorism for decades and international terrorist groups have at times used the region as a battleground to advance their causes. The State Department's annual report on international terrorism, recently re-titled *Country Reports on Terrorism*, highlights U.S. concerns about terrorist threats around the world, including in Latin America. The 2004 report, issued in April 2005, notes that the international terrorist threat in the Western Hemisphere remained low in 2004, compared to other regions of the world, but also maintained that "terrorists may seek safe-haven, financing, recruiting, illegal travel documentation, or access to the United States from the area and pose serious threats." The report describes terrorist activities in the region in 2004, most notably in Colombia, Peru, and the tri-border area (TBA) of Argentina, Brazil, and Paraguay. The report also

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examines activity by Cuba, which has been designated by the State Department as a state-sponsor of terrorism since 1982.

In the aftermath of 9/11, U.S. attention focused on potential links in the region to the Al Qaeda terrorist network, but the State Department's 2002 report on terrorism maintained that "there was no confirmed credible information" of an Al Qaeda presence in Latin America. The 2003 State Department report on terrorism maintained that reports of an Al Qaeda presence in the TBA remained "uncorroborated by intelligence and law-enforcement officials," while the 2004 report asserted that there was no credible evidence of operational Islamic cells in the TBA countries. There were increased concerns in 2004 by some Central American officials about potential Al Qaeda threats in the region, although U.S. officials maintained that there was no evidence supporting such concerns.¹ The State Department's 2004 report maintains that there were "widespread, unfounded media reports alleging formal links between transnational criminal gangs and Islamic extremists" in Central America.

Colombia. Colombia remains of paramount concern to the United States because of the threat to democracy posed by three groups that have been designated by the Secretary of State as Foreign Terrorist Organizations (FTOs): two leftist guerrilla groups, the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), and a rightist paramilitary group, the United Self-Defense Forces of Colombia (AUC). According to the 2004 terrorism report, the three groups continued to conduct car bombings, political murders, and indiscriminate use of land mines, and also targeted critical infrastructure, public recreational areas, and modes of transportation. Colombia has the highest kidnapping rate in the world, with over 1,500 in 2004. Nevertheless, the Colombian government has made significant progress in regaining control of national territory, promoting desertion and reintegration of former illegal armed militants, and demobilizing the AUC. In 2004, acts of terrorism dropped by 42.5%, murders by 13.2%, massacres by 42.4%, and kidnappings by 42.4%. The FARC and AUC have been heavily involved in drug trafficking, which has been the key to their growth over past decade. In February 2003, a U.S. civilian contractor and a Colombian national were murdered by the FARC after their plane crashed. The FARC continues to hold hostage three U.S. contractors from that plane crash. All three Colombian FTOs reportedly exploit the Venezuelan side of the border with Colombia as a safe area to transship arms and drugs, rest, secure logistical supplies, and commit kidnappings. The State Department report indicates that "it is unclear to what extent and at what level the Venezuelan government approves of or condones material support to Colombian terrorists." (For more on Colombia, see CRS Report RL32250, *Colombia: Issues for Congress*.)

Peru. Peru is another country of concern. The brutal Shining Path (Sendero Luminoso or SL) insurgency, which the Department of State has designated an FTO, was significantly weakened in the 1990s with the capture of its leader Abimael Guzman. In 2001-2003, terrorist acts committed by the group increased from previous years, but in 2004 annual terrorist incidents dropped to 40 from 100 in 2003. According to the State Department terrorism report, SL has a few hundred armed members concentrated in the

¹ "U.S. Officials Dispute Al Qaeda Role in Hemisphere," *Homeland Security Monitor* (Intellibridge), September 30, 2004; Jerry Seper, "Al Qaeda Seeks Tie to Local Gangs," *Washington Times*, September 28, 2004.

coca-growing valleys where they are reportedly increasing their involvement in the drug trade; the group also reportedly is trying to rebuild support in the universities where it had considerable influence in the 1980s.

Tri-Border Area. In recent years, U.S. concerns have increased over activities of the radical Lebanon-based Islamic group Hizballah (Party of God) and the Sunni Muslim Palestinian group Hamas (Islamic Resistance Movement) in the tri-border area of Argentina, Brazil, and Paraguay, which has a large Muslim population. According to the 2003 terrorism report, the TBA “has long been characterized as a regional hub for Hizballah and Hamas fundraising activities, but it is also used for arms and drug trafficking, contraband smuggling, document and currency fraud, money laundering, and the manufacture and movement of pirated goods.” The 2004 report asserts that was no credible evidence that operational Islamic terrorist cells exist in the TBA countries.

Allegations have linked Hizballah to two bombings in Argentina: the 1992 bombing of the Israeli Embassy in Buenos Aires that killed 30 people and the 1994 bombing of the Argentine-Israeli Mutual Association (AMIA) in Buenos Aires that killed 86 people. As noted in the 2004 terrorism report, all 22 Argentine defendants charged in the 1994 bombing were acquitted by a three-judge panel that faulted the investigation of the original judge and prosecutors. The acquittal prompted protests by Argentina’s large Jewish community. (For additional information on Argentina, see CRS Report RS21113, *Argentina: Political Conditions and U.S. Relations*.)

Cuba. The Department of State includes Cuba among its list of six states sponsoring terrorism (the other five states are Iran, Libya, North Korea, Sudan, and Syria). Cuba was added to the list in 1982. The Communist government led by Fidel Castro had a history of supporting revolutionary movements and governments in Latin America and Africa, but in 1992, Castro said that his country’s support for insurgents abroad was a thing of the past. Most analysts accept that Cuba’s policy generally did change, largely because the breakup of the Soviet Union resulted in the loss of billions in subsidies.

The State Department’s 2004 terrorism report maintains that Cuba continues to actively oppose the global war on terrorism. The report asserts that Cuba’s “actions and public statements run contrary to the spirit of the UN conventions on terrorism that it has signed.” (Cuba has ratified all 12 international conventions on terrorism.) The report also maintained that Cuba continued to provide limited support to FTOs as well as safe haven for terrorists. It asserted that Cuba provides safe haven to various Basque ETA members from Spain despite a November 2003 request from the Spanish government to deny them sanctuary. The report also maintained that Cuba provided safe haven and some degree of support to members of two Colombian insurgent groups, the FARC and ELN. (The State Department’s 2002 and 2003 terrorism reports acknowledged, however, that Colombia acquiesced to this arrangement and that Colombia publicly said that it wanted Cuba’s continued mediation with the ELN in Cuba.) The 2004 report also noted that more than 70 fugitives from U.S. justice had taken refuge in Cuba. Many of these are accused of committing violent actions in the United States, including Joanne Chesimard, who is wanted for the murder of a New Jersey State Trooper in 1973.

In general, those who support keeping Cuba on the terrorism list argue that there is ample evidence that Cuba supports terrorism. They point to the government’s history of supporting terrorist acts and armed insurgencies in Latin America and Africa. They point

to the government's continued hosting of members of foreign terrorist organizations and U.S. fugitives from justice. Critics of retaining Cuba on the terrorism list maintain that it is a holdover of the Cold War. They argue that domestic political considerations keep Cuba on the terrorism list and maintain that Cuba's presence on the list diverts U.S. attention from struggles against serious terrorist threats. (For further information, see CRS Report RL32251, *Cuba and the State Sponsors of Terrorism List*, and CRS Report RL32730, *Cuba: Issues for the 109th Congress*.)

U.S. Policy

As in other parts of the world, the United States has assisted Latin American and Caribbean nations over the years in their struggle against terrorist or insurgent groups indigenous to the region. For example, in the 1980s, the United States supported the government of El Salvador with significant economic and military assistance in its struggle against a leftist guerrilla insurgency. In recent years, the United States has employed various policy tools to combat terrorism in the Latin America and Caribbean region, including sanctions, anti-terrorism assistance and training, law enforcement cooperation, and multilateral cooperation through the OAS. Moreover, given the nexus between terrorism and drug trafficking, one can argue that assistance aimed at combating drug trafficking organizations in the region has also been a means of combating terrorism by cutting off a source of revenue for terrorist organizations. The same argument can be made regarding efforts to combat money laundering in the region.

Although terrorism was not the main focus of U.S. policy toward the region in recent years, attention increased in the aftermath of the 9/11 terrorist attacks on New York and Washington. Anti-terrorism assistance has increased along with bilateral and regional cooperation against terrorism. In 2002, Congress approved the Bush Administration's request to expand the scope of U.S. assistance to Colombia beyond a counternarcotics focus to also include counter-terrorism assistance to the government in its military efforts against drug-financed leftist guerrillas and rightist paramilitaries.

As noted above, the United States has imposed sanctions on three groups in Colombia (ELN, FARC, and AUC) and one group in Peru (SL) designated by the Department of State as Foreign Terrorist Organization (FTOs). Official designation of such groups as FTOs triggers a number of sanctions, including visa restrictions and the blocking of any funds of these groups in U.S. financial institutions. The designation also has the effect of increasing public awareness about these terrorist organizations and the concerns that the United States has about them.

Through the Department of State (Diplomatic Security Office, Office of Antiterrorism Assistance), the United States provides Anti-Terrorism Assistance (ATA) training and equipment to Latin American countries to help improve their capabilities in such areas as airport security management, hostage negotiations, bomb detection and deactivation, and countering terrorism financing. Such training was expanded to Argentina in the aftermath of the two bombings in 1992 and 1994. Assistance was also stepped up in 1997 to Argentina, Brazil, and Paraguay in light of increased U.S. concern over illicit activities in the tri-border area of those countries.

ATA funding is generally provided through the annual foreign operations appropriations measure. For FY2001, \$4.7 million in ATA training was provided to

Western Hemisphere countries. In FY2002, a total of \$27.5 million was provided for the region, with \$25 million for an anti-kidnapping program in Colombia (appropriated through an FY2002 supplemental appropriations measure, P.L. 107-206) and \$2.5 million for the regular Western Hemisphere program. For FY2003, the Administration's \$3.6 million in ATA assistance was provided for the region, with \$3.3 million of that for Colombia. For FY2004, \$5.3 million in ATA assistance was provided for the region. For FY2005, an estimated \$11.1 million in ATA is being provided for the region, with \$3.9 million for Colombia and \$0.5 million for the tri-border area of Argentina, Brazil, and Paraguay. The FY2006 ATA request for Latin America is \$9.7 million, again with \$3.9 for Colombia and \$0.5 million the tri-border area.

The United States also works closely with the governments of the tri-border region — Argentina, Brazil, and Paraguay — through the “3 + 1 regional cooperation mechanism,” which serves as a forum for counterterrorism cooperation and prevention among all four countries.

Money laundering in the region has been a major U.S. concern for some 20 years, largely because of its association with drug traffickers, but terrorist organizations may also be involved in money laundering as a means of hiding their financial assets. The United States works through the Financial Action Task Force (FATF), a multilateral anti-money laundering body, to help develop and promote policies to combat money laundering worldwide. According to the Department of State's March 2005 *International Narcotics Control Strategy Report*, 14 nations in the region are jurisdictions of primary concern to the United States because of their vulnerability to money laundering. These are Antigua and Barbuda, Bahamas, Belize, Brazil, Cayman Islands, Colombia, Costa Rica, Dominican Republic, Haiti, Mexico, Panama, Paraguay, Uruguay, and Venezuela.

Increased Regional Cooperation Since 9/11. Latin American nations strongly condemned the September 2001 terrorist attacks on New York and Washington and took action through the OAS and the Rio Treaty to strengthen hemispheric cooperation against terrorism. The OAS, which happened to be meeting in Peru at the time, swiftly condemned the attacks, reiterated the need to strengthen hemispheric cooperation to combat terrorism, and expressed full solidarity with the United States. At a special session on September 19, 2001, OAS members invoked the 1947 Inter-American Treaty of Reciprocal Assistance, also known as the Rio Treaty, which obligates signatories to the treaty to come to one another's defense in case of outside attack. Another resolution approved on September 21, 2001, called on Rio Treaty signatories to “use all legally available measures to pursue, capture, extradite, and punish those individuals” involved in the attacks and to “render additional assistance and support to the United States, as appropriate, to address the September 11 attacks, and also to prevent future terrorist acts.”

In another resolution, the OAS called on the Inter-American Committee on Terrorism (CICTE) to identify urgent actions aimed at strengthening inter-American cooperation in order to combat and eliminate terrorism in the hemisphere. The CICTE was reinvigorated in the aftermath of 9/11, and has cooperated on border security mechanisms, controls to prevent funding of terrorist organizations, and law enforcement and counterterrorism intelligence and information. At a January 2003 CICTE meeting in El Salvador, OAS members issued the Declaration of San Salvador, which condemned terrorism and pledged to strengthen hemispheric cooperation through a variety of border,

customs, and financial control measures. At the conference, the United States pledged \$1 million to the OAS to help the growth of CICTE “as a technical body devoted to increasing counterterrorism expertise in the Americas.”² At the February 2005 CICTE session held in Trinidad and Tobago, OAS members reaffirmed their commitment to deepen cooperation in the fight against terrorism.

In June 2002, OAS members signed a newly completed Inter-American Convention Against Terrorism. Signing the treaty for the United States, Secretary of State Powell said that the OAS had “produced the first new international treaty since September 11 targeted at improving our ability to combat terrorism.”³ The Convention, among other measures, would improve regional cooperation against terrorism, commit parties to sign and ratify U.N. anti-terrorism instruments and take actions against the financing of terrorism, and deny safe haven to suspected terrorists.

On October 27-28, 2003, the OAS held a Special Conference on Security in Mexico City that focused on identifying new threats, concerns, and challenges facing the hemisphere and agreed on a cooperative approach toward addressing them. Among the threats identified in the adopted Declaration on Security in the Americas were “terrorism, transnational organized crime, the global drug problem, corruption, asset laundering, illicit trafficking in weapons and the connections among these activities.”⁴

Congressional Action. President Bush submitted the Inter-American Convention Against Terrorism to the Senate on November 12, 2002, for its advice and consent, and the treaty was referred to the Senate Foreign Relations Committee (Treaty Doc. 107-18). The committee held a public hearing on the treaty on June 17, 2004. In the 109th Congress, the committee formally reported the treaty on July 28, 2005 (Senate Exec. Rept. 109-3), and on October 7, 2005, the Senate agreed to the resolution of advice and consent.

The 108th Congress called for two reports from the Administration regarding terrorist activities in Latin America. The FY2005 Ronald W. Reagan National Defense Authorization Act (P.L. 108-375) required a report on the activities of Al Qaeda and associated groups in Latin America and the Caribbean (Section 1047) and a report regarding any relationships between foreign governments or organizations and terrorist groups in Colombia (Section 1021). The 108th Congress also expressed concern regarding the investigation into the July 1994 AMIA bombing in Buenos Aires. Both houses approved similar resolutions — H.Con.Res. 469 (Ros-Lehtinen) and S.Con.Res. 126 (Coleman) — that, among other provisions, urged Argentina to provide resources to investigate all areas of the AMIA case, encouraged U.S. law enforcement support, and encouraged the establishment of an OAS task force to assist in the investigation.

² U.S. Department of State, International Information Programs, “U.S. Donates \$1 Million to Combat Terrorism in Western Hemisphere,” *Washington File*, January 22, 2003.

³ U.S. Department of State, International Information Programs, “Transcript: Powell Stresses Security at OAS General Assembly,” *Washington File*, June 3, 2002.

⁴ Organization of American States. Declaration on Security in the Americas. October 28, 2003.